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U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

EX PARTE SUBMISSION

**Re: In the Matter of Communications Assistance for Law
Enforcement Act, CC Docket No. 97-213**

Dear Ms. Salas:

In recent meetings with the Telecommunications Industry Association ("TIA") regarding the Communications Assistance for Law Enforcement Act ("CALEA"), several Commission staff expressed interest in switch manufacturers' CALEA development schedules and in what efforts manufacturers have made to implement CALEA since the adoption of J-STD-025 in December 1997.

Manufacturers have devoted enormous engineering resources to the implementation of CALEA ever since its enactment in October 1994. Indeed, despite the continued confusion and delays regarding both the capability standard (J-STD-025) and the final notice of capacity, many manufacturers will make at least partial solutions generally available as early as 1999. However, with the exception of Alcatel, none of the manufacturers anticipate having a complete J-STD-025 solution available for all switch platforms until at least 2000. That is why an extension to October 25, 2000 is necessary.

For example, Nortel plans to implement its J-STD-025 solution for one product (the DMS-100) in a series of three generic software upgrades: in the fourth quarter of 1998, the second quarter of 1999 and the fourth quarter of 1999. However, similar solutions for other products will not be available until after that date. Similarly, Motorola plans to make approximately 90-95% of its J-STD-025 solution available by the second half of 1999. However, because of the delays and confusion that surrounded J-STD-025, the remaining 5-10%

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will not be available until the next generic upgrade in late 2000.

In order to give the Commission a clearer impression of each manufacturers' proposed schedule, attached are copies of the information manufacturers provided the FBI in March and April of this year as part of an intensive, 60-day cooperative exercise.¹ At the request of the Attorney General, almost all of the major switch manufacturers voluntarily disclosed detailed (and sensitive) technical and financial information regarding their proposed solutions. The purpose of the exercise was to generate reasonable cost estimates for both J-STD-025 and the FBI "punchlist" that government officials could use in making policy decisions.

As part of this 60-day process, manufacturers provided the FBI with their best estimates of when their respective J-STD-025 solutions would be generally available. The FBI has included some of this information in a recent *ex parte* submission to the Commission.² However, because the FBI's *ex parte* only provided information for two switch manufacturers, Commission staff requested that TIA provide similar information for other manufacturers.

It should be remembered that most of these schedules were prepared in late March and early April. In some instances, schedules already have changed -- either as a result of the continued policy disputes surrounding CALEA implementation (which many manufacturers expected to have been resolved by early summer) or because of the vagaries experienced in any software development effort of this size.

It also should be kept in mind that these schedules only identify when manufacturers expect their solutions to become "generally available." Even once a product is generally available, manufacturers -- working with their carrier customers -- require additional time to install these products in the facilities of each customer.³

¹ In addition, two manufacturers that were not involved in the 60-day exercise have agreed to include their estimated development schedules in this submission.

² TIA is unaware of why the FBI chose to provide only two development schedules in its submission. All of TIA's members would have been happy for the FBI to share this information with the FCC. In fact, since May (when the FBI's report was first supposed to be published), TIA has urged the FBI to release its report -- both to the Commission and to manufacturers (who still have never seen a complete copy of the report).

³ Of course, these development schedules were also based on J-STD-025 (and, in some instances, the FBI punchlist) as they existed at the time. Manufacturers will require additional time if any revisions are made to the J-STD-025 or the punchlist. How much time will vary from manufacturer to manufacturer.

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The technical effort involved in implementing CALEA is among the largest and most complex currently faced by manufacturers. Central office switches literally have several times the number of lines of software code that were used to launch the space shuttle. CALEA impacts nearly all of the call processing and feature control functionalities of the switching network. Implementing a CALEA solution, therefore, not only requires extensive design efforts but also significant testing.

Manufacturers have devoted considerable resources to designing sophisticated technical solutions for CALEA. Hopefully, with the type of guidance and compliance schedules called for in the recent letter by Chairman Henry Hyde and Ranking Member John Conyers, Jr., manufacturers can complete the process of designing, developing, testing and installing these solutions in an efficient and expeditious manner.

Pursuant to 47 C.F.R. § 1.1206, an original and two copies of this letter and attachments are enclosed for filing. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'SABaker', with a long horizontal flourish extending to the right.

Stewart A. Baker

cc (w/ encl.): Dan Connors
Ari Fitzgerald
Jim Green
Karen Gulick
Paul Misener
Dan Phythyon
Peter Tenhula
David Wye

Alcatel

Alcatel plans to make its CALEA solution available in three phases over the course of two years. The first phase, to be released in November, 1999, will include a small subset of CALEA features. The second phase, to be released in November, 1999, will include all the capabilities of J-STD-025 and some of the "punch list". The third and final phase, to be released in October 2000, will include the remaining "punch list" capabilities

Ericsson

All Ericsson platforms in the U.S. will have ready-to-install CALEA solutions, compliant with the J-STD-025 no later than Q1, Year 2000.

Lucent

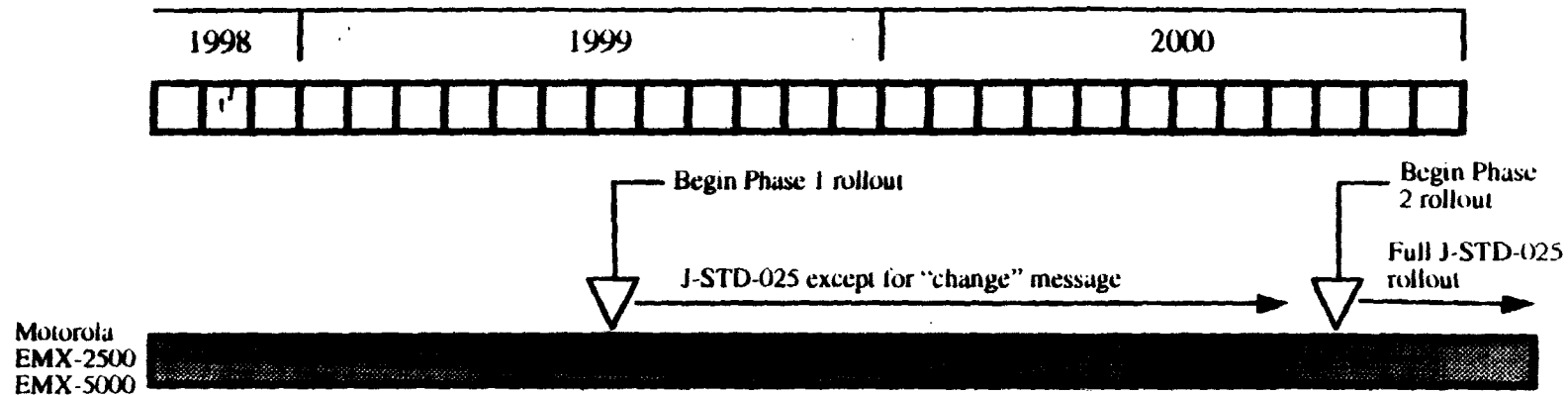
<u>Service Platform</u>	<u>J-STD-025 Standard / General Availability Date¹</u>	<u>Punch List / General Availability Date</u>
5ESS®-2000 Wireline Platform	3Q 2000	1Q 2001
Autoplex Wireless Platform	3Q 2000	3Q 2001 ²

The above dates are based upon the assumption that the J-STD-025 requirements are frozen and will not change. Additionally, general availability data for the Punch List items are based on the best information we have been able to gather to date. Once the Punch List items have been standardized, this data must be revisited and is subject to change. Additional proprietary assumptions have been provided to the FBI pursuant to a non-disclosure agreement, and are not included herein.

¹ General availability dates are reliant upon the absence of any delays outside of Lucent's control. General Availability dates represent the dates upon which Lucent anticipates that it will make its CALEA solutions available to carriers. With regard to the general availability of the J-STD-025 solution for both platforms, Lucent will strive to meet a 1Q 2000 date, but has provided the 3Q 2000 period in the above table to account for current resource limitations.

² General availability of the Punch List solution by this date is dependent upon the balloting and approval of the enhanced surveillance services (ESS) standard by 1Q 1999.

Motorola CIG J-STD-025 Capability Deployment Schedule



At the final phase of J-STD-025 deployment, the requirements of J-STD-025 will be supported in the Motorola CIG CALEA product.

note: punch-list capabilities will be available approximately two years after publication of an industry standard covering punch-list requirements, but not before the middle of 2001.



Nokia will have 90% of J-STD-025 available for deployment by 2Q99. Due to the conflicts on certain portions of the standard, an example being the Change message, which kept these portions unstable until very late in the standardization process, the remaining 10% will be unavailable until 2Q00-3Q00. Both of these estimates depend on the timely availability of the CIS collection equipment for testing purposes.

Nortel DMS-100

The DMS-100 family of switches is Nortel's leading high capacity central office switching application designed for end office use. The DMS-100 provides extensive residential and business services, ranging from basic telephone service to a full line of advanced voice and data services for residential and business markets. It is deployed extensively across the United States by a wide range of service providers.

Solution availability dates

Nortel will release its CALEA solution for the DMS-100 in phases. It will take four distinct generic software releases to fully equip a DMS-100 switch with all the capabilities of J-STD-025 and the "punch list." The first three generic releases will include all surveillance capabilities excluding the "punch list." The first three generic software releases are expected in the fourth quarter of 1998, the second quarter of 1999, and the fourth quarter of 1999. The "punch list" capabilities will be made available in the second quarter of 2000.

Nortel DMS-10

The Nortel DMS-10 switch is a small to medium size switch that is typically capable of providing local, long-distance, and tandem service for up to 12,800 subscribers. The DMS-10 provides service in a vast number of rural and suburban locations in the United States.

Solution availability dates

Nortel will release its CALEA solution on the DMS-10 in phases. It will take two software generic releases to fully equip a DMS-10 switch with those capabilities of J-STD-025 and the "punch list." The first generic software release will occur 18 months after an order is placed and will include only those capabilities within J-STD-025. The "punch list" capabilities will be made available in a second generic software release, approximately 12 months after the first release. Current estimates of the generic software release timelines are first release in the fourth quarter of 1999 and second release in the fourth quarter of 2000.

Nortel DMS-MSC

The DMS-MSC is Nortel's primary PCS mobile switching center application. Its core switching functionality is based on the DMS-100 switching platform.

Solution availability dates

Nortel will release its CALEA solution on the DMS-MSC in phases. It will take two distinct software generic software releases to fully equip a DMS-MSC switch with those capabilities of J-STD-025 and the "punch list." The first generic software release could be in the fourth quarter of 1998 for the capabilities of J-STD-025. The "punch list" capabilities will be made available in a second product release that could be in the ~~fourth quarter of 1999~~.

1st quarter of 2000.

Nortel DMS-MTX

The DMS-MTX is Nortel's primary mobile switching center application in the cellular market. Its core switching functionality is based on the DMS-100 switching platform.

Solution availability dates

Nortel will release its CALEA solution on the DMS-MTX in phases. It will take two distinct generic software releases to fully equip a DMS-MTX switch with those capabilities of J-STD-025 and the "punch list." The first generic software release could be in the third quarter of 2000 for the capabilities of J-STD-025 and a partial set of the "punch list" capabilities. The remaining "punch list" capabilities will be made available in a second generic software release that could be in third quarter of 2001.

Siemens

"Siemens plans to have the J-STD-025 compliant SW released in phases for our wireline/wireless products. The first phase of the J-STD-025 compliant SW will be available between 1Q2000 to 1Q2001 for the various product lines. The other phases are scheduled approximately one year from the initial release. Any additional development beyond standardization can be scheduled in the later phases as necessary. Specific product release information will be provided to the FCC in private ex parte meetings if required."